

**PROCEEDINGS BEFORE THE  
WASHINGTON STATE  
BOARD OF ACCOUNTANCY**

In The Matter of:

Akash Deep Sehgal,  
  
Respondent.

NO. ACB-1339

FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
AND FINAL ORDER  
IMPOSING SANCTIONS

**I. INTRODUCTION**

THIS MATTER, arises out of the Statement of Charges issued by the Executive Director of the Washington State Board of Accountancy (hereinafter State) on May 24, 2012. The Statement of Charges alleges that Akash Deep Sehgal (hereinafter Respondent), violated the provisions of RCW 18.04 and WAC 4-30.

THIS MATTER having come before the Board upon the motion of Jacqueline Walker, Assistant Attorney General; Respondent having admitted to all the charges and waived Respondent's right to a hearing before the Board on the Statement of Charges; the Board having reviewed the record herein and the Declaration of Richard C. Sweeney, Executive Director, and being advised in the premises, makes the following:

**II. FINDINGS OF FACT**

- 2.1 The Respondent was formerly employed by the CPA firm PricewaterhouseCoopers LLP (PwC). On or about January 24, 2012, the Respondent sent an internal email to Edward A. Zambrano at PwC, who was seeking to verify the Respondent's credentials. The Respondent stated in the email: "Edward – attached is a copy of my current WA CPA license. Regards, Akash." The Respondent attached a portable document format (pdf) file

named: "Akash WA CPA License Copy.pdf." The file contained a copy of a document that appeared to be a Certified Public Accountant license issued by the Board of Accountancy, Washington State. The document contained the seal of the state of Washington and the following: "License Number: 11550; Expiration Date: June 30, 2012; Akash D. Sehgal; 2415 2<sup>nd</sup> Avenue # 342; Seattle WA 98121." The Board did not issue license number 11550 to the Respondent. The Board issued license number 11550 to another individual on July 10, 1987. That license is valid through June 30, 2013.

- 2.2 On or about February 13, 2012, in response to an inquiry from the State, the Respondent stated, in part: "I am unaware of how my address has shown up on a copy of a Washington License as I have never represented myself as a CPA in Washington State or any state for that matter."
- 2.3 On May 24, 2012, the Executive Director of the Washington State Board of Accountancy issued Statement of Charges alleging that Respondent violated the provisions of RCW 18.04.345 and WAC 4-30-142(5).
- 2.4 On June 14, 2012, the State received the Respondent's Answer to the Statement of Charges.
- 2.5 The Respondent admitted to all the charges and did not request a hearing.

### **III. CONCLUSIONS OF LAW**

From the foregoing Findings of Fact, the Board makes the following Conclusions of Law.

- 3.1 The Washington State Board of Accountancy has jurisdiction over the Respondent and the subject matter of the case. RCW 18.04.295.
- 3.2 Based on the above Findings of Fact, and Conclusions of Law, Respondent has been served with the Statement of Charges, Answer to Statement of Charges, and Notice of Opportunity to Defend.

- 3.4 The Respondent admitted to all the charges and waived Respondent's right to a hearing before the Board on the Statement of Charges. The Board is entitled to serve this Order upon the Respondent on the grounds that pursuant to his answer, Respondent admitted to the allegations in the Statement of Charges and did not request a hearing. .
- 3.5 Based on Findings of Fact 2.1 and 2.2, the Board concludes that the Respondent violated RCW 18.04.345 and WAC 4-30-142(5)(c). (See Appendix A for reproduction of the statute and rule.)
- 3.6 The violations set forth in Conclusions of Law 3.5 constitute grounds for sanctions pursuant to RCW 18.04.295 which provides in part that "the Board shall have the power to ... impose a fine in an amount not to exceed thirty thousand dollars plus the boards investigative and legal costs in bringing charges against ... a non-CPA violating the provisions of RCW 18.04.345 for ... (3) A violation of any provision of this chapter ...." RCW 18.04.380 provides that "the display or presentation by a person of a card, sign, advertisement, ... bearing a person's name in conjunction with the words "certified public accountant" or any abbreviation thereof shall be prima facie evidence in any action brought under this chapter ... that the person is holding himself or herself out to be a licensee, a certified public accountant, or a person holding a certificate under this chapter." (See Appendix A for reproduction of the statute.)

#### **IV. FINAL ORDER**

Based upon the above Findings of Fact and Conclusions of Law, the Board hereby makes the following Order:

- 4.1 The Respondent shall:

- 4.1.1 Pay a thirty thousand dollar (\$30,000) fine. This fine shall be payable to the Washington State Board of Accountancy and remitted to the Washington State Board of Accountancy at PO Box 41465, Olympia, WA 98504-1465 in such manner that the Board receives it within 90 days of the entry of this Findings of Fact, Conclusions of Law, and Final Order.
- 4.1.2 Reimburse the Board five thousand five hundred dollars (\$5,500) for investigative and legal costs. This payment shall be payable to the Washington State Board of Accountancy and remitted to the Washington State Board of Accountancy at PO Box 41465, Olympia, WA 98504-1465 in such manner that the Board receives it within 90 days of the entry of this Findings of Fact, Conclusions of Law, and Final Order.
- 4.2 The Respondent shall refrain from holding himself out to the public or assuming or using the designation "certified public accountant" or "CPA" or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the Respondent is a certified public accountant or CPA until Respondent is licensed to do so under Chapter 18.04 RCW.
- 4.3 The Respondent shall refrain from signing, affixing, or associating Respondent's name or trade name to any report designated as an "audit," "review," or "compilation," until Respondent is licensed to do so under Chapter 18.04 RCW.
- 4.4 That Respondent shall refrain from holding Respondent out to the public, or use in connection with Respondent's name, or any other name, the title or designation "certified accountant," "chartered accountant," "licensed accountant," "licensed public accountant," "public accountant," "CPA (Retired)," or any other title or designation likely to be confused with

“certified public accountant” or any of the abbreviations “CA,” “LA,” “LPA,” or “PA,” or similar abbreviations likely to be confused with “CPA.”

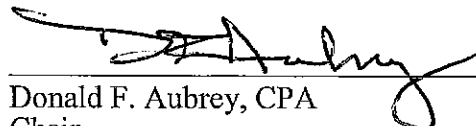
- 4.5 The Board will publish the terms of this Findings of Fact, Conclusions of Law, and Final Order.

## V. NOTICE TO PARTIES

- 5.1 Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of this Order, as provided in RCW 34.05.542.
- 5.2 Service. This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).

DATED this 31<sup>st</sup> day of July 2012.

WASHINGTON STATE BOARD OF ACCOUNTANCY

  
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Donald F. Aubrey, CPA  
Chair

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APPENDIX A

**RCW 18.04.295 Actions against CPA license.** The board shall have the power to: Revoke, suspend, or refuse to issue, renew, or reinstate a license or certificate; impose a fine in an amount not to exceed thirty thousand dollars plus the board's investigative and legal costs in bringing charges against a certified public accountant, a certificate holder, a licensee, a licensed firm, an applicant, a non-CPA violating the provisions of RCW 18.04.345, or a nonlicensee holding an ownership interest in a licensed firm; may impose full restitution to injured parties; may impose conditions precedent to renewal of a certificate or a license; or may prohibit a nonlicensee from holding an ownership interest in a licensed firm, for any of the following causes . . .

(2) Dishonesty, fraud, or negligence while representing oneself as a nonlicensee owner holding an ownership interest in a licensed firm, a licensee, or a certificate holder;

(3) A violation of any provision of this chapter . . . [2004 c 159 § 4; 2003 c 290 § 3; 2001 c 294 § 14; 2000 c 171 § 1; 1992 c 103 § 11; 1986 c 295 § 11; 1983 c 234 § 12.]

**RCW 18.04.345 Prohibited practices.** . . . (2) No individual may hold himself or herself out to the public or assume or use the designation "certified public accountant" or "CPA" or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the individual is a certified public accountant or CPA unless the individual qualifies for the privileges authorized by RCW 18.04.350(2) or holds a license under RCW 18.04.105 and 18.04.215. . . . [2009 c 116 § 1; 2008 c 16 § 5; 2001 c 294 § 17; 1999 c 378 § 8; 1992 c 103 § 14; 1986 c 295 § 15; 1983 c 234 § 16.]

**RCW 18.04.370 Penalty.** (1) Any person who violates any provision of this chapter, shall be guilty of a crime, as follows:

(a) Any person who violates any provision of this chapter is guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not more than thirty thousand dollars, or to imprisonment for not more than six months, or to both such fine and imprisonment.

(b) Notwithstanding (a) of this subsection, any person who uses a professional title intended to deceive the public, in violation of RCW 18.04.345, having previously entered into a stipulated agreement and order of assurance with the board, is guilty of a felony, and upon conviction thereof, is subject to a fine of not more than thirty thousand dollars, or to imprisonment for not more than two years, or to both such fine and imprisonment.

(c) Notwithstanding (a) of this subsection, any person whose license or certificate was suspended or revoked by the board and who uses the CPA professional title intending to deceive the public, in violation of RCW 18.04.345, having previously entered into a stipulated agreement and order of assurance with the board, is guilty of a class C felony, and upon conviction thereof, is subject to a fine of not more than thirty thousand dollars, or to imprisonment for not more than two years, or to both fine and imprisonment.

(2) With the exception of first time violations of RCW 18.04.345, subject to subsection (3) of this section whenever the board has reason to believe that any person is violating the provisions of this chapter it shall certify the facts to the prosecuting attorney of the county in which such person resides or may be apprehended and the prosecuting attorney shall cause appropriate proceedings to be brought against such person.

(3) The board may elect to enter into a stipulated agreement and orders of assurance with persons in violation of RCW 18.04.345 who have not previously been found to have violated the provisions of this chapter. The board may order full restitution to injured parties as a condition of a stipulated agreement and order of assurance.

(4) Nothing herein contained shall be held to in any way affect the power of the courts to grant injunctive or other relief as above provided.

[2004 c 159 § 5; 2003 c 290 § 5; 2001 c 294 § 19; 1983 c 234 § 19; 1949 c 226 § 36; Rem. Supp. 1949 § 8269-43.]

**RCW 18.04.380 Advertising falsely--Effect.** (1) The display or presentation by a person of a card, sign, advertisement, or other printed, engraved, or written instrument or device, bearing a person's name in conjunction with the words "certified public accountant" or any abbreviation thereof shall be prima facie evidence in any action brought under this chapter that the person whose name is so displayed, caused or procured the display or presentation of the card, sign, advertisement, or other printed, engraved, or written instrument or device, and that the person is holding himself or herself out to be a licensee, a certified public accountant, or a person holding a certificate under this chapter.

(2) The display or presentation by a person of a card, sign, advertisement, or other printed, engraved, or written instrument or device, bearing a person's name in conjunction with the words certified public accountant-inactive or any abbreviation thereof is prima facie evidence in any action brought under this chapter that the person whose name is so displayed caused or procured the display or presentation of the card, sign, advertisement, or other printed, engraved, or written instrument or device, and that the person is holding himself or herself out to be a certified public accountant-inactive under this chapter.

(3) In any action under subsection (1) or (2) of this section, evidence of the commission of a single act prohibited by this chapter is sufficient to justify an injunction or a conviction without evidence of a general course of conduct. [2001 c 294 § 20; 1986 c 295 § 17; 1983 c 234 § 20; 1949 c 226 § 37; Rem. Supp. 1949 § 8269-44.]

**WAC 4-30-142 What are the bases for the board to impose discipline?** RCW 18.04.055, 18.04.295, 18.04.305, and 18.04.350 authorize the board to revoke, suspend, refuse to issue, renew, or reinstate an individual or firm license, CPA-Inactive certificate, the right to exercise practice privileges in this state, or registration as a resident nonlicensee firm owner; impose a fine not to exceed thirty thousand dollars; recover investigative and legal costs; impose full restitution to injured parties; impose remedial sanctions; impose conditions precedent to renew; or prohibit a resident nonlicensee from holding an ownership interest in a firm licensed in this state for the specific acts listed below.

The following are specific examples of prohibited acts that constitute grounds for discipline under RCW 18.04.295, 18.04.305, and 18.04.350. The board does not intend this listing to be all inclusive . . .

(5) Dishonesty, fraud, or negligence while representing oneself as a licensee, CPA-Inactive certificate holder, or a resident nonlicensee firm owner including but not limited to . . .

(c) Making misleading, deceptive, or untrue representations . . . [Statutory Authority: RCW 18.04.055(16), 18.04.195 (11)(d), 18.04.295, 18.04.305, 18.04.350(2). 11-07-070, § 4-30-142, filed 3/22/11, effective 4/22/11; 10-24-009, amended and recodified as § 4-30-142, filed 11/18/10, effective 12/19/10; 08-18-016, § 4-25-910, filed 8/25/08, effective 9/25/08. Statutory Authority: RCW 18.04.055(16), 18.04.295, and 18.04.305. 05-01-137, § 4-25-910, filed 12/16/04, effective 1/31/05; 03-24-033, § 4-25-910, filed 11/25/03, effective 12/31/03. Statutory Authority: RCW 18.04.055(11), 18.04.295, and 18.04.305. 02-04-064, § 4-25-910, filed 1/31/02, effective 3/15/02; 00-11-078, § 4-25-910, filed 5/15/00, effective 6/30/00. Statutory Authority: RCW 18.04.055 and 18.04.295. 94-23-070, § 4-25-910, filed 11/15/94, effective 12/16/94.]